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Letter dated 20 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my predecessor's letter of 18 July 2003 (S/2003/749). The Counter-Terrorism Committee has received the attached third report from Tajikistan submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex). I would be grateful if you could arrange for the present letter and its attachment to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

04-66999 (E) 270105 080205

Annex

[Original: Russian]

Note verbale dated 15 December 2004 from the Permanent Mission of Tajikistan to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

The Permanent Mission of the Republic of Tajikistan presents its compliments to the Chairman of the Committee and has the honour to transmit herewith the third report of the Republic of Tajikistan, which contains information on the issues covered by the Committee (see enclosure).

Enclosure*

[Original: Russian]

Report of the Republic of Tajikistan submitted to the United Nations Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001)

Introduction

As it has in the past, the Republic of Tajikistan firmly and unreservedly condemns terrorism in all its forms and manifestations and supports the counter-terrorism measures taken by the international community with the United Nations in a central coordinating role. In that connection, it holds Security Council resolution 1373 (2001) of 28 September 2001 in high regard.

Terrorism has clearly developed into an international problem that is no longer confined to any single State or region. It threatens the entire international community and requires active counter-measures at national, regional and international levels. Tajikistan considers that they should provide a basis for international cooperation against international terrorism. The resolution in question, which provides the framework for the establishment and operation of the Security Council Counter-Terrorism Committee (CTC), is a single, unique instrument for monitoring international compliance with commitments to combat international terrorism. The international community must set up a unified, global and effective system, based on the principles of the United Nations Charter and the fundamental provisions of international law, to cope with new terrorist challenges and threats. Countering terrorism must not be seen as a clash of civilizations or as being linked with any particular religion.

Recent terrorist acts in Spain, the deteriorating situation in Uzbekistan and the continuing war in Iraq have shown that international terrorism is coordinated and has a global reach. Because international terrorism is trans-territorial, all countries must come together to combat it.

Tajikistan is concerned at the increasing number of terrorist acts throughout the world and is taking further steps, with international cooperation, to use lawful means to prevent and suppress such acts within its territory.

Paragraph 1 of Security Council resolution 1373 (2001)

1 (a): Steps taken to prevent and suppress the financing of terrorist acts

In this connection, decision No. 506 of the Government of the Republic of Tajikistan of 9 November 2001 on the implementation of the laws and regulations of the Republic of Tajikistan remains in force. In accordance with that decision, the National Bank of the Republic of Tajikistan has prepared an order requiring commercial banks in Tajikistan to locate and freeze, in a timely manner, funds and other financial assets or economic resources of persons and organizations who directly or indirectly commit or attempt to commit terrorist acts and also participate in the commission of terrorist acts or assist in their commission.

* Annexes are on file with the Secretariat and are available for consultation.

In order to uncover and block possible channels for the financing of terrorism, the competent bodies of the Republic of Tajikistan have continued to conduct operational searches of organizations and persons suspected of involvement in terrorist activities.

In the course of their criminal investigation into the Hizb ut-Tahrir extremist party, the law-enforcement agencies of the Republic of Tajikistan have determined that some of the members of that radical party have received financial support from abroad to expand the party's activities. In 2002 and 2003, the personal account of a member of Hizb ut-Tahrir, held at the Eskhata Bank in Khojand, Tajikistan, received from a United States citizen deposits of $5,995 and $5,280, via Morgan Chase Bank and Habib Bank in New York and via Alfa Bank in Moscow. The organs of the Prosecutor's Office froze the sums held in the personal account of that individual with the Eskhata Bank in Tajikistan.

In 2003, the Parliament of Tajikistan ratified an agreement between the countries of the Commonwealth of Independent States (CIS) to counter the legalization (laundering) of proceeds of crime.

Recognizing that the main sources of terrorist financing are the smuggling and illegal circulation of narcotics and the trade in arms, the law-enforcement agencies of the Ministry of Security, Ministry of Internal Affairs, the Government Committee for the Protection of the State Border, the Drug-Control Agency within the Office of the President, the customs department of the Ministry of State Revenue and Taxes and the "Red Banner" border-guard directorate of the Federal Security Service of the Russian Federation in Tajikistan have stepped up their work in those fields. In February 2004, in the interests of joint efforts to counter the expansion of drug trafficking, the Drug-Control Agency within the Office of the President of Tajikistan and the State Committee of the Russian Federation signed an agreement on cooperation to counter the illegal circulation of narcotics, psychotropic substances and their precursors.

The expansion of the supply and illegal circulation of narcotics has been caused by the global military-political and economic developments taking place in Afghanistan and by the opportunism of international criminal networks, which are trying to turn Central Asia into a social and raw-material hub for mass production, distribution and transit of drugs. At present, Afghanistan produces 70 per cent of opiates, with 40,000 hectares growing opium poppies and with heroin now improving in quality and returning to the previous record output levels it had reached under the Taliban.

In 2003, the authorities seized 2,634.699 kg of narcotics in Tajikistan. Those seizures represented over twice the amount seized in the first quarter of the previous year, with 1,833.334 kg being heroin, 585.752 kg raw opium, 202.271 kg cannabis-related narcotics and 13.638 kg other narcotics. A number of prominent drug lords were brought to criminal trial; they even included members of law-enforcement agencies. In the first quarter of 2004 alone, 1,220.175 kg of narcotics were seized, with 722.732 kg being heroin, 242.236 kg raw opium, 245.168 kg cannabis-related narcotics and 10.040 kg other narcotics.

During the course of such operations in 2003 and the first quarter of 2004, the sub-units of the Ministry of Security of Tajikistan alone seized over 470 firearms, over 10,000 rounds of ammunition and about 130 kg of explosives and explosive devices.

In order to prevent the illegal importation of arms and ammunition and drug smuggling, and to keep out terrorists and saboteurs, the capacity of the Ministry of Security, the Ministry of Internal Affairs, the Ministry of Defence and the Government Committee for the Protection of the State Border to provide operational and physical coverage of the Tajik-Afghan border has been improved. The areas most vulnerable to border violations have been placed under special control and the regime governing entry, departure and the transport of goods through checkpoints situated on the State border has been placed under stricter control in order to prevent the possible import of substances for carrying out subversive terrorist acts.

1 (b): Which of the activities listed in this paragraph are in fact considered crimes, and what penalties are attached to them?

In accordance with article 10 of the Act on Combating Terrorism of 16 November 1999, knowingly financing or otherwise assisting a terrorist organization or terrorist group is regarded as terrorist activity.

Persons who are guilty, directly or indirectly, of providing or collecting funds for the commission of terrorist acts are criminally liable for offences committed by terrorists as accomplices to those offences, as provided in articles 35 to 37 of the Criminal Code of the Republic of Tajikistan. In accordance with article 36, paragraph 1, of the Criminal Code, a person who organizes, instigates or abets an offence is deemed an accomplice to that offence, alongside the perpetrator. Pursuant to article 37, paragraph 1, of the Criminal Code, the liability of the accomplices in an offence is determined by the nature and degree of the actual participation of each of them in its commission, and they are liable for committing specific offences under the same article of the Special Section of the Criminal Code as perpetrators of terrorist acts. The very fact of collecting funds for the commission of such offences is thus sufficient grounds for the criminal prosecution of the guilty party.

1 (c): What legislation or procedure is in place to freeze accounts or assets in banks and financial institutions?

Article 175 of the Code of Criminal Procedure establishes methods of seizing assets, including the crime-related cash deposits of individuals. The seizure is imposed on individuals suspected or accused, or on an individual bearing material accountability under the law for those individuals' actions, or on individuals in possession of assets obtained by criminal means.

Upon seizure of cash deposits, any transactions in relation to such deposits cease.

Seizure is carried out with a view to taking civil investigative action or with a view to confiscation.

In accordance with article 27 of the Act on Combating Terrorism, any organization deemed by a court to be a terrorist organization will be dissolved by a decision of the court and its assets will be confiscated and transferred as revenue to the State.

Article 33 of the Act on Banks and Bank Activity establishes the procedure for the seizure of financial and other assets of individuals and legal entities which are held in bank accounts or in safe deposit by order of a court or pursuant to an order — endorsed by a prosecutor — of a body undertaking an investigation or initial enquiries.

On receiving a seizure decision, a bank must immediately halt transactions connected with the account or deposit, to the extent covered by the seizure.

Confiscation of funds and other assets may be carried out only on the basis of a legally enforceable court judgement.

1 (d): What steps are being taken to prevent the activities listed in this subparagraph?

Persons who are engaged in terrorist activities, provide assistance to terrorists or terrorist organizations or propagandize their activities are liable under the Criminal Code.

Any organization deemed by a court to be a terrorist organization will be dissolved by a decision of the court and its assets will be confiscated and transferred as revenue to the State (see Act on Combating Terrorism).

The individual concerned must acknowledge providing funds specifically for terrorist ends. If he does not, making him liable in any way would run counter to Tajikistan's international obligations regarding protection of human rights (art. 11 of the Universal Declaration of Human Rights) and the principle of innocence reaffirmed in article 20 of the Constitution of the Republic of Tajikistan.

Paragraph 2 of Security Council resolution 1373 (2001)

2 (a): What legislative and other measures are being taken to implement the provisions of this subparagraph? In particular, what provisions are in force in your country to ban recruitment to terrorist groups and the supply of arms to terrorists? What other measures are being used to help suppress such activities?

In accordance with article 10 of the Act on Combating Terrorism, recruitment to terrorist groups, the supply of weapons to terrorists, and the training and use of terrorists are deemed to be terrorist activities and are regarded as complicity in the terrorist offences committed. Persons guilty of recruiting terrorists may be prosecuted under articles 179, "Terrorism", and 187, "Organization of a criminal association", of the Criminal Code. Persons who supply weapons to terrorists are liable under article 195, "Illegal acquisition, transfer, sale, possession, transport or bearing of weapons, ammunition, explosives and explosive devices", of the Criminal Code.

In accordance with article 27 of the Act on Combating Terrorism, any organization deemed by a court to be a terrorist organization will be dissolved by a decision of the court and its assets will be confiscated and transferred as revenue to the State.

In accordance with article 26 of the Act, persons who engage in terrorist activity, provide assistance to terrorists or terrorist organizations, or champion their activities are held liable under articles 179 and 37 of the Criminal Code.

Persons who are not members of terrorist organizations but who commit terrorist acts on their behalf or are involved in establishing, financing, training and arming such organizations, are held liable to the same degree as members of terrorist organizations.

Persons who possess information about the existence of a terrorist organization or about individuals involved in terrorist activity but fail to disclose it to the

appropriate State bodies are held liable in accordance with article 347 of the Criminal Code.

2 (b): What other measures are in place to prevent the commission of terrorist acts, and, in particular, what early-warning mechanisms exist to exchange information with other States?

To provide early warning of terrorist activity, article 15 of the Act on Combating Terrorism prohibits:

- The establishment, registration and operation of organizations seeking to engage in terrorist activities;
- The entry into, departure from or transit through the territory of Tajikistan of persons who have taken part in terrorist activity;
- The granting of residence permits to persons who have taken part in terrorist activity;
- The granting of Tajik citizenship to foreign citizens who have taken part in terrorist activity;
- The acceptance by bus-station, railway-station or airport staff of passengers' baggage or hand luggage for storage (except in the case of appropriately authorized left-luggage-office staff);
- The holding of meetings, parades, demonstrations or pickets in locations not specified for those purposes.

Furthermore, to provide early warning of terrorist activity, the following are permitted in Tajikistan:

- Calling for additional forces and resources for entities which directly combat terrorism, for the preservation of order during social/political and other mass events;
- Strengthening safeguards and preventive measures for State and local authorities and industries which present an increased danger to human life and health;
- The extradition, in response to a request from the competent authorities of a foreign State and in accordance with international law, of persons who have taken part in terrorist activity in the territory of that State;
- The collection, analysis and dissemination of information on terrorist organizations and persons who are or have been involved in terrorist activity, and the incorporation of that information into a central interdepartmental database on terrorism kept by the Ministry of Security;
- The establishment of specialized subdepartments within entities directly involved in combating terrorism.

Providing early warning of terrorist activity also involves other measures provided for in the legislation of Tajikistan and international agreements concluded by Tajikistan.

The operational situation and political realities have rendered it necessary to make use not just of bilateral international channels but also multilateral, regional

and other avenues of cooperation, such as the Council of Heads of Security Bodies and Special Services of the CIS member States, the CIS Anti-Terrorism Centre, the Bishkek Group and the Regional Counter-Terrorist Structure of the Shanghai Cooperation Organization.

Inter-State programmes for the period up to 2004 to combat international terrorism and crime within the territories of the CIS countries have also been developed and implemented. In order to expand contacts for the exchange of information with the special services of other countries, intergovernmental agreements with Poland, Hungary and the Czech Republic for countering international terrorism are being prepared for signature in 2003 and 2004.

The exchange of information with the CIS member States was stepped up following the terrorist acts committed in Uzbekistan. The authorities of Tajikistan have established measures to improve the participation of society and the media in preventing terrorist propaganda and public frustration. In particular, comprehensive efforts have been undertaken in the media, which severely criticized and condemned the activities of terrorists, so-called "holy warriors" and international terrorist and extremist organizations.

In order to forestall hostile action on the part of the radical extremist party Hizb ut-Tahrir, the Government of Tajikistan organized and held a nationwide seminar in April 2004 with the theme "Hizb ut-Tahrir threats to the security of Tajikistan and the Central Asian region" and a conference on "Religious cooperation in combating extremism and terrorism".

Because international terrorists have expanded their area of activity, the efforts of Tajikistan's law-enforcement agencies have been focused on the action of international terrorist organizations such as the Muslim Brotherhood, Hezbollah, Hamas, Dawat-ul-Irshad, the international jihad front, Al-Qaida, the Islamic Taliban Movement, the Islamic Movement of Uzbekistan, Hizb ut-Tahrir al-Islami and Islom Lashkarlari, which are not merely a threat to the security of Tajikistan, but to that of the international community. As a result, arrangements were made for operational tracking of the clandestine activities of the radical extremist party Hizb ut-Tahrir in Tajikistan and — together with the law-enforcement structures of the CIS member States — its activities in those States.

As a result of operational search and investigative measures carried out by security agencies, more than 104 Hizb ut-Tahrir activists and supporters were detained and arrested for anti-constitutional activities and more than 20,000 copies of subversive and extremist literature were confiscated. Investigative bodies instituted 26 criminal cases under articles 187, 189 and 307 of the Criminal Code of the Republic of Tajikistan. The judicial authorities investigated 14 criminal cases and sentenced 18 individuals. Thirty-four members of the above-mentioned extremist party were placed in preventive detention.

In February 2004, two members of staff of the security agencies of Tajikistan were assigned to the Regional Counter-Terrorist Structure of the Shanghai Cooperation Organization, headquartered in Tashkent, Uzbekistan, to coordinate and develop joint efforts to combat international terrorism.

The law-enforcement agencies of Tajikistan exposed four terrorist groups which had engaged in particularly serious State crimes — including terrorism and sabotage within the territory of Tajikistan — between 1994 and 2002, having

undergone specialist training abroad. Four leaders and 36 members of such groups were detained and sent for criminal trial. In cooperation with international and regional counter-terrorism structures and foreign States' special services, search operations were launched for 20 members and associates of those groups who had gone into hiding.

2 (c): What laws or procedures exist to deny asylum to terrorists (such as laws on the admission or expulsion of persons covered by this subparagraph)?

With the aim of preventing terrorist activity in Tajikistan, article 15 of the Act on Combating Terrorism prohibits persons who have taken part in terrorist activity from entering, leaving or transiting through the territory of Tajikistan and from acquiring residence permits or citizenship.

Persons who have taken part in terrorist activity in the territory of a foreign State are extradited in accordance with international law in response to a request from the competent bodies of that State.

In accordance with article 3 of the Act on Refugees, persons in respect of whom there is information about a possible connection with the secret-service bodies of the State of which they are nationals, international terrorist organizations, or drug-trafficking structures may not be recognized as refugees. Pursuant to article 7, the rights of asylum-seekers who have applied for refugee status may be restricted in the cases envisaged by the laws and regulations of the Republic of Tajikistan in order to ensure the protection and security of the State, the preservation of the foundations of the constitutional order, and protection of the morality, health, and rights and lawful interests of other persons.

2 (d): What laws or procedures exist to prevent your territory from being used for terrorist activity directed at other States or citizens?

See responses to paragraphs 1 (b) and 2 (a).

2 (e): What steps have been taken to categorize terrorist acts as serious crimes and to match sentencing to the seriousness of such terrorist acts?

In accordance with article 18 of the Criminal Code, such crimes are treated as premeditated acts carrying a maximum custodial sentence of 12 years, or as particularly grave premeditated acts carrying a custodial sentence of over 10 years or a more severe sentence.

Article 179, "Terrorism", of the Criminal Code establishes custodial sentences of 5 to 10 years; with 8 to 15 years and 10 to 18 years in categorized cases; and 15 to 20 years with confiscation of assets, or the death penalty, in specially categorized cases.

Terrorist acts are therefore grave or particularly grave crimes; this has implications for the determination of maximum sentences for re-offenders (arts. 21, 66 of the Criminal Code).

2 (f): What procedures and mechanisms exist to assist other States?

The legislation in force in Tajikistan allows for the possibility of seizing the property and assets of individuals and legal entities at the request of foreign partners only on the basis of duly formulated requests for the provision of judicial assistance in relation to the criminal cases which they are prosecuting.

In order to speed up the fulfilment of requests for judicial assistance made in connection with terrorism-related crimes, agreements have been concluded with representatives of certain countries for each party to appoint a coordinator for cooperation in such matters.

The Public Prosecutor's Office is responsible for coordinating the fulfilment by the law-enforcement agencies of Tajikistan of requests for judicial assistance made in connection with terrorism-related criminal cases.

See also the response to paragraph 3 (c) and the section entitled "Additional Information".

2 (g): How do the border-control authorities prevent the movement of terrorists? How do the procedures for identity checks and verification of travel documents assist in that regard?

In fulfilment of the requirements of this paragraph of Security Council resolution 1373 (2001) for preventing the unimpeded movement of terrorists or terrorist groups throughout the territory of the Republic, units of the Government Committee for the Protection of the State Border, together with the "Red Banner" border-guard directorate of the Federal Security Service of the Russian Federation in Tajikistan, are effectively monitoring at crossing points the departure and entry of persons for whom entry into the country is prohibited under the established procedure.

The Government Committee for the Protection of the State Border is also directly involved in countering terrorism by detecting, preventing and suppressing terrorists' attempts to cross the State border of Tajikistan and by helping the State security agencies to combat international terrorist activity.

The Committee for the Protection of the State Border carries out passport and visa checks, and monitors foreign citizens' and stateless persons' entry into, stay in and departure from Tajikistan. Screening is carried out to detect persons suspected of involvement in terrorist activity, and foreign citizens and stateless persons are questioned selectively to determine that their reasons for travel to Tajikistan correspond to those for that category of traveller. The Committee for the Protection of the State Border also acts on behalf of the law-enforcement agencies carrying out operational investigations of the activities of persons banned from entering or leaving Tajikistan pursuant to the procedures laid down in its legislation. In accordance with the Act on Operational Search Activities, the operational sub-units of the Committee also carry out operational search activities, exclusively within the bounds of their powers, as established in the relevant legal acts of Tajikistan.

In 2003 and the first quarter of 2004, 95 violations of the State border were detected, and there were 18 armed engagements with Afghan smugglers attempting to infiltrate from Afghanistan into Tajikistan.

Paragraph 3 of Security Council resolution 1373 (2001)

3 (a): What steps have been taken to intensify and accelerate the exchange of operational information in the areas covered by this subparagraph?

The senior officials of the Committee for the Protection of the State Border regularly exchange information on the situation along the State border with their counterpart structures in neighbouring States in order to detect, prevent and suppress

terrorists' attempts to cross the State border and suppress the illegal transport across that border of weapons, ammunition and explosives, toxic or radioactive substances and other items which may be used for terrorist purposes. The Committee is also involved in developing proposals to strengthen the protection of the State border in order to prevent assistance from being given to terrorists from abroad and to prevent incursions.

In order to intensify such efforts, a department for international relations has been established within the Committee for the Protection of the State Border; it is responsible for maintaining bilateral and multilateral relations.

Overall coordination of cooperation among the border forces of the CIS members States is carried out by the Council of Border Troop Commanders within the framework of the CIS Collective Security Treaty.

Steps are being taken to exchange information on the issues concerned with the border troops of Afghanistan.

3 (b): What steps have been taken to exchange information and to cooperate in the areas covered by this subparagraph?

Regular exchanges of information with partners in the counter-terrorist coalition are carried out by the special services of Tajikistan, but also other bodies in Tajikistan involved in countering terrorism: the Ministry of Defence, the Ministry of Internal Affairs, the Government Committee for the Protection of the State Border and the customs department of the Ministry of State Revenue and Taxes.

As part of this process, the Ministry of Internal Affairs exchanges information on the assessment and tracking of the development of crime, on operational searches and on operational monitoring of the social environment and individuals who might provide support to terrorists.

3 (c): What steps have been taken to exchange information and to cooperate in the areas covered by this subparagraph?

Tajikistan is active within the framework of the Agreement on Cooperation among States Members of the Commonwealth of Independent States in the Fight against Crime (Moscow, 25 November 1998), the Agreement on arrangements regarding the presence of and cooperation among law-enforcement agency staff in the territories of the States Members of the Commonwealth of Independent States (Minsk, 4 June 1999) and the Treaty on Cooperation among States Members of the Commonwealth of Independent States in Combating Terrorism (Minsk, 4 June 1999).

In accordance with the Programme of the CIS member States to combat international terrorism and other manifestations of extremism for the period up to 2003, adopted by a decision of the heads of State on 21 June 2000, counter-terrorism subdivisions, forces and resources of the Ministry of Defence and Ministry of Internal Affairs and border troops of Tajikistan take part in the yearly comprehensive counter-terrorism exercises of the member States.

Furthermore, in accordance with the decision of the Collective Security Council meeting held in Yerevan (25 January 2001), rapid-reaction forces for the Central Asian region were established by 1 August 2001 under the Collective Security Treaty. They included units and subdivisions of the armed forces of four member States (Kazakhstan, Kyrgyzstan, Tajikistan and Russia). The collective

rapid-reaction forces are intended to ensure the military security of the Central Asian States parties to the Collective Security Treaty; their functions include taking part in efforts to repel outside military attack and conducting joint counter-terrorist operations.

3 (d) and (e): What are your Government's intentions regarding signature and ratification of the conventions and protocols referred to in these subparagraphs? Please provide all available appropriate information on the implementation of the conventions, protocols and resolutions referred to in these subparagraphs.

Tajikistan is losing no time in acceding to the appropriate international conventions and protocols relating to terrorism. The Parliament of Tajikistan has ratified the International Convention for the Suppression of the Financing of Terrorism (9 December 1999) and the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1990).

The legislative and law-enforcement authorities are currently engaged in a planned, uninterrupted effort to draft and adopt laws and other normative acts to meet the need to counter various aspects of terrorism and to make Tajikistan a party to the international conventions in question.

In 2003, with the aim of broadening and strengthening the legal basis for counter-terrorism efforts, the Parliament of Tajikistan adopted the Act on Combating Extremism, expanded and amended the Customs Code and the Criminal Code, ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction, an agreement between Tajikistan and the Swiss Foundation for Mine Action regarding mine clearance and cooperation in mine clearance, and the Agreement on the Legal Status and Charter of the Collective Security Treaty Organization. In 2004, the Governments of Tajikistan and France signed an agreement on cooperation in internal security.

The Parliament of Tajikistan is currently preparing to ratify a protocol adopting regulations on the procedure for conducting joint counter-terrorism measures in the territories of the CIS member States.

3 (f): What legal provisions, procedures and mechanisms are there to ensure that asylum-seekers have not been involved in terrorist activity before they are granted refugee status?

See response to paragraph 3 (g).

3 (g): What procedures exist to prevent terrorists from abusing refugee status? Please provide information on the legal or administrative procedures to ensure that invoking political motives has not been considered a reason to refuse requests for the extradition of persons suspected of terrorism.

Tajikistan's legislation regarding refugees is based on the Constitution and consists of the Act on Refugees, other laws and regulations and international legal instruments recognized by Tajikistan.

The State authorities which implement refugee policy are the State migration agency, the security agencies, internal-affairs agencies, border-protection agencies and local authorities. Each of these bodies carries out functions and tasks within the bounds of its responsibilities under the above-mentioned Act.

Article 3 of the Act provides for a restriction on the granting of refugee status in the Republic of Tajikistan to the following persons:

- Persons in respect of whom there are adequate grounds for believing that they have committed a crime against the peace, a military crime or a crime against humanity as defined by the international instruments concluded with a view to the adoption of measures in relation to such crimes;
- Persons in respect of whom there are adequate grounds for believing that they have committed a grave crime of a non-political nature outside the Republic of Tajikistan before arrival in its territory and who are applying for refugee status;
- Persons in respect of whom there is information about a possible connection with the secret-service bodies of the State of which they are nationals, international terrorist organizations, or drug-trafficking structures;
- Persons in respect of whom there are adequate grounds for believing that they are guilty of committing acts that run counter to the purposes and principles of the United Nations and the Organization for Security and Cooperation in Europe.

The Act also excludes persons who have abandoned the State of which they are nationals for economic reasons as a result of hunger, epidemics or natural or man-made emergencies.